

Communication Matters

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Highlighting: Michigan's New Interpreter Law

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Communication Matters:

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Additional Resources related to this new legislation:

DODHH Interpreter Directory is at: www.mcddc-dodhh.org

A list of Interpreter Referral agencies is on E-Michigan Deaf and Hard of Hearing People web site at: www.michdhh.org/interpreters/more_information.html

Full Text of the PA 23 and 24 can be found on the Michigan Legislative page at: www.legislature.mi.gov/

Q & A on the Interpreter Law

An interview with Janet Jurus, State Interpreter with the Michigan Division on Deaf and Hard of Hearing (DODHH) by Julie Eckhardt, Communication Matters Editor

Julie Eckhardt: According to the Governor Granholm's press release (June 29, 2007 at www.mcddc-dodhh.org):

"Under Public Act 23 (Senate Bill 25) and Public Act 24 (House Bill 4208) employers, state and local governments, and businesses providing a variety of services to the public are now obligated to provide for effective communication...

"PAs 23 and 24 amend the Deaf Persons' Interpreters Act (PA 204 of 1982) which limited the application of interpreter standards to court and administrative hearings and was not sufficiently clear on the standards. PA 23 now defines a "qualified" interpreter as a person who is certified through the National Registry of Interpreters for the Deaf or by the Division of Deaf and Hard of Hearing (DODHH) in the Department of Labor & Economic Growth (DLEG)."

PA 23 now defines a "qualified" interpreter as a person who is certified through the National Registry of Interpreters for the Deaf or by the Division of Deaf and Hard of Hearing (DODHH)

Does this law take immediate effect?

Janet Jurus: The legislation was effective immediately upon receiving the Governor's signature. The penalties phase is effective October 1, 2007. The Department of Labor and Economic Growth (DLEG) and DODHH will convene a rules committee to address the specific rules to be promulgated.

J Eckhardt: In PA 23 and 24, reference is made to "appointing authorities." What does this mean and how does it apply to State of Michigan agencies?

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Information or news related to Deaf or Hard of Hearing services may be forwarded to Julie Eckhardt at jewel@chartermi.net. Views expressed in this bulletin are not necessarily the views of Michigan Department of Labor & Economic Growth-Rehabilitation Services. Communication Matters is available on the web at www.michigan.gov/mrs and on the E-Learn Deaf & Hard of Hearing Resource Center.

Q & A on the Interpreter Law

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J Jurus: An appointing authority is any entity that falls under Title I, II or III of the ADA of 1990. State and Local Government agencies are required under Title II of the ADA to provide Interpreters as auxiliary aids upon request. If any State agency conducts business with interpreters, as the appointing authority, the agency should ensure that those interpreters hold current state or national credentials to avoid being in violation of this legislation.

J Eckhardt: I see that “qualified interpreter” is now defined in the law as a person who is certified through the National Registry of Interpreters for the Deaf or by the DODHH. What if a state agency is unable to locate a certified interpreter?

J Jurus: According to the legislation language, it would be up to a judge to decide if a concerted effort was made to locate an interpreter, if a case is filed.

J Eckhardt: Sometimes a deaf person prefers an interpreter who is not certified, perhaps someone they have known for a long time. If the deaf person requests a non-certified interpreter, how should the organization that is hiring the interpreter respond?

J Jurus: This is yet to be determined, and will be addressed during the rule promulgation process.

J Eckhardt: What if someone wants to become a certified interpreter? With the new law, how would that person develop skills so they are eligible for certification?

J Jurus: A number of colleges offer ASL courses, as well as Interpreter Training Programs; local interpreter agencies provide workshops and mentoring; Michigan Registry of Interpreters for the Deaf (MIRID) hosts workshops (www.mirid.org) as well as their local chapters; the E-Michigan Deaf and Hard of Hearing People web site (www.michdhh.org) has a plethora of workshops, classes and social gatherings that would benefit any person interested in the field of interpreting.

J Eckhardt: The new law refers to RID and Michigan QA certifications. What about NAD (National Association of the Deaf) certification?

J Jurus: RID now recognizes NAD interpreters as RID certified.

J Eckhardt: Are there other important provisions of the new law that we should be aware of?

J Jurus: Yes. It is important that people take the time to read and take note of the provisions that have been laid out in the legislation, such as application and certification renewal fees, as well as the penalties section.

J Eckhardt: Thank you, Janet.

Readers will find the full text of the legislation on the Michigan Legislature page at: <http://www.legislature.mi.gov/>

On June 19, 2007, Governor Jennifer M. Granholm signed legislation that requires use of qualified sign language interpreters who possess state or national certification in all accommodations required under the Americans with Disabilities Act.

For details, click here: www.michigan.gov/cis/0,1607,7-154-28077_28545-171395-,00.html

Interpreter Certification Defined



The following definitions of interpreter certifications are from the 2007 Interpreter Directory, published by the Michigan Division on Deaf and Hard of Hearing. The Directory can be found on their web site at www.mcdc-dodhh.org

NATIONAL ASSOCIATION OF THE DEAF (NAD) CERTIFICATIONS

The National Association of the Deaf (NAD), is an education and advocacy organization committed to promotion, protection and preservation of the rights and quality of life of deaf and hard of hearing individuals in the United States. The NAD offers an Interpreter Assessment and awards one of 5 levels. Two of the levels do not certify interpreters; the other three levels are awarded certification by NAD. NAD certifications are listed below.

The Registry of Interpreters for the Deaf (RID) now recognizes NAD interpreters as RID certified, according to Janet Jurus, Michigan State Interpreter.

Level V (Master): The individual who attains this level possesses superior voice-to-sign skills and excellent sign-to-voice skills, and demonstrates the interpreting skill necessary for just about all situations.

Level IV (Advanced): The individual who attains this level possesses excellent voice-to-sign skills and above average sign-to-voice skills, and demonstrates the interpreting skill necessary for most situations.

Level III (Generalist): The individual who attains this level possesses above average voice-to-sign skills, and good sign-to-voice skills, and demonstrates the interpreting skill necessary for some situations.

NATIONAL REGISTRY OF INTERPRETERS FOR THE DEAF (RID) CERTIFICATION

www.rid.org/nicdescrip.pdf

NIC "Individuals who achieve the NIC level have passed the NIC Knowledge written exam as well as scored within the standard range of a professional interpreter on the Interview portion and Performance portions of the test".

NIC Advanced "Individuals who achieved the NIC Advanced level have passed the NIC Knowledge written exam, scored within the standard range of a professional interpreter on the Interview portion, and scored within the high range on the Performance portion of the test"

NIC Masters "NIC Master Individuals who achieved the NIC Master level have passed the NIC Knowledge written exam and scored within the high range of a professional interpreter on both the Interview portion and Performance portion of the test"

MCSC Master Comprehensive Skills Certificate: Awarded to an interpreter/transliterators who has held a CSC for at least four years and has met the standards of a CSC at a higher competency rate.

SC:L Specialist Certificate: Legal: Awarded to an interpreter/transliterators who possesses a CSC plus specialized skills to qualify at standards established for interpreting/transliterating in a variety of legal settings with comprehension of English and signed legal terminology.

CSC Comprehensive Skills Certificate: Ability to interpret/transliterate using either English or American Sign Language in the situation, selecting the preferred communication mode of the deaf or hard of hearing person.

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Interpreter Certification

(RID) CERTIFICATION Continued

- CDI** Certified Deaf Interpreter: Ability to interpret between American Sign Language and English-based sign language or transliterate between spoken English and a signed code for English. Holders of this certification are interpreters who are deaf or hard of hearing.
- CI** Certificate of Interpretation: Ability to interpret between American Sign Language (ASL) and spoken English in both sign-to-voice and voice-to-sign.
- CT** Certificate of Transliteration: Ability to transliterate between English-based sign language and spoken English in both sign-to-voice and voice-to-sign.
- IC** Interpretation Certificate: Ability to interpret between American Sign Language and spoken English.
- TC** Transliteration Certificate: Ability to transliterate between spoken English and a signed code for English.
- OIC** Oral Interpreting Certificate: Ability to transliterate a spoken message from a person who hears to a person who is deaf or hard of hearing and the ability to understand and repeat the message and intent of the speech and mouth movements of the person who is deaf or hard of hearing.
- OIC:C** Oral Interpreting Certificate: Comprehensive: Ability to paraphrase/transliterate a spoken message with or without voice and with natural lip movement for the deaf or hard of hearing person. Also has the ability to voice the message of the deaf or hard of hearing person for the benefit of the third person.

STATE QUALITY ASSURANCE (QA) LEVELS

QA LEVEL III Intermediate Skill Level: demonstrated ability to interpret/transliterate communication between hearing and deaf or hard of hearing persons with a minimum of 88% accuracy.

Recommended for situations where there may not be an opportunity for the interpreter to stop communication for clarification.

Examples: education/tutorial situations, informal meetings and daily living skills, training, public meetings, interviews.

QA LEVEL II Limited Skill Level: demonstrated ability to interpret/transliterate communication between hearing and deaf or hard of hearing persons with a minimum of 74% accuracy.

Recommended for one-to-one or small group situations where the interpreter may or may not have the opportunity to stop communication for clarification.

Examples: Education/tutorial situations, informal meetings and daily living skills training.

QA LEVEL I Restricted Skill Level: demonstrated ability to interpret/transliterate communication between hearing and deaf or hard of hearing persons with a minimum of 60% accuracy.

Recommended mainly for one-to-one situations where the interpreter has the opportunity to stop communication for clarification.

Examples: Social/recreational situations, non-technical and informal meetings.